

**Brunswick Planning Commission
Minutes
November 22, 2004**

Commission Members Present: Chair Ed Gladstone, Vice Chair Don Krigbaum, Council Liaison Walt Stull, Wayne Dougherty, and Ellis Burruss, Alternate

Mayor & Council Present:

Staff Present: City P & Z Administrator Rick Stup & City Development Review Planner Wayne Twigg, and Carole Larsen, County Planning Liaison.

Chairman Gladstone called the meeting to order at 7:00 PM.

Mr. Burruss recused himself on the Brandywine, LLC property Site Plan case and exited the meeting room.

Minutes

The minutes of the October 25 meeting were reviewed and approved with minor corrections to be made by Staff. (MOTION by Mr. Krigbaum; seconded by Mr. Stull, unanimously passed.)

Chairman

Mr. Gladstone requested all those in attendance who were going to speak on any of the cases, to rise and be sworn in. He administered the oath.

Old Business

Zoning - Site Plan - Improvement Plans

Brandywine, LLC Property: Located in the Northeast Quadrant of the intersection of East Potomac Street and First Avenue. Zoning Classification: B-3; Water and Sewer Classification: W-4, S-4; BR-SP-04-03-SP

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for APFO and Site Plan approval of the proposed new multi-use building.

The required action is two fold. The first is APFO Approval and the second is the Site Plan Request. Staff recommended the following:

Staff Presentation and Recommendation Cont.

APFO

Staff concurs with the APFO Compliance/Mitigation Letter submitted by the Applicant, and therefore recommends APFO Approval with the condition that the Mayor & Council Allocate the required Sanitary Sewer Taps in accordance with the Allocation Policy and the Tap Waiting List Procedure.

Site Plan

Staff recommends approval of the Site Plan with the following conditions:

1. Issues raised in Staff Report Addressed to Staff's satisfaction to include:
 - The reclamation information for the area currently occupied by the existing structure must be shown to Staff's satisfaction to include Landscaping.
 - Check Sheet and Staff TAC Meeting Comments that still are not addressed to Staff's satisfaction to include the following:
 1. Title Lines to include individual parcels must be shown with bearings and distances
 2. Proposed grading shown
 3. Revise note 11 to eliminate the county reference
 4. Need FRO comments
 5. Revise future walk along Mooseheart Drive to reflect limit of construction
 6. Need dimensions between existing and proposed structures
 7. Need Council Approval for use within street right-of-ways and the request submitted
 8. Need additional landscaping
 9. Correct Mooseheart Drive labeling
- An Addition Plat must be approved by the Planning Commission and recorded prior to signature of the Site Plan.
- The applicant must provide details satisfactory to Staff of the Reclamation Area and any other proposed screening along the North Side of the structure that will soften the impact from the adjoining properties.
- The Building Restriction Lines must be graphically shown on the plan.
- Seven Junipers or alternatives acceptable to Staff must be provided along the East Side of the structure.
- The Applicant must obtain approval from the Mayor & Council to utilize the West and South areas within the Right-of-Ways and provide a Maintenance Agreement for those Landscaping Areas agreeable to Staff and the City Attorney.

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Staff Presentation and Recommendation Cont.

- Final or changes to the lighting must be approved by Staff.
 - The submission and approval of the final sign details must be to Staff's satisfaction and added to the Site Plan if necessary.
 - The Site Plan must be revised to correct the labeling of the structure and the Sanitary Sewer Line must be abandoned in accordance with City Procedures.
2. FRO Exemption Comments from the FRO Reviewer or Approval of FSD/PFCP and notation added to the Site Plan with FRO Approval prior to Improvement Plan/Site Development Plan signature.
 3. Improvement Plan/Site Development Plan submission and approval prior to construction.
 4. Applicant bound by their testimony.
 5. Applicable Agency Comments.

Mr. Stup answered questions with regard to the plan.

Applicant

Mr. Jonathan Allgaier, Fusion Planning, Architecture, Engineering Design agreed with the Staff Report and had no comments.

Public Comment

None.

Rebuttal

None.

Decision

APFO

Mr. Dougherty made a motion to approve APFO in accordance with Staff recommendation; Mr. Krigbaum seconded the motion.

VOTE: Yea 4 Nay 0

Site Plan

Mr. Stull made a motion to approve the application in accordance with Staff Recommendation; Mr. Krigbaum seconded the motion. The Conditions are as follows:

Decision Cont.

1. Issues raised in Staff Report Addressed to Staff's satisfaction to include:
 - The reclamation information for the area currently occupied by the existing structure must be shown to Staff's satisfaction to include Landscaping.
 - Check Sheet and Staff TAC Meeting Comments that still are not addressed to Staff's satisfaction to include the following:
 - i. Title Lines to include individual parcels must be shown with bearings and distance
 - ii. Proposed grading shown
 - iii. Revise note 11 to eliminate the county reference
 - iv. Need FRO comments
 - v. Revise future walk along Mooseheart Drive to reflect limit of construction
 - vi. Need dimensions between existing and proposed structures
 - vii. Need Council Approval for use within street right-of-ways and the request submitted
 - viii. Need additional landscaping
 - ix. Correct Mooseheart Drive labeling
 - An Addition Plat must be approved by the Planning Commission and recorded prior to signature of the Site Plan.
 - The applicant must provide details satisfactory to Staff of the Reclamation Area and any other proposed screening along the North Side of the structure that will soften the impact from the adjoining properties.
 - The Building Restriction Lines must be graphically shown on the plan.
 - Seven Junipers or alternatives acceptable to Staff must be provided along the East Side of the structure.
 - The Applicant must obtain approval from the Mayor & Council to utilize the West and South areas within the Right-of-Ways and provide a Maintenance Agreement for those Landscaping Areas agreeable to Staff and the City Attorney.
 - Final or changes to the lighting must be approved by Staff.
 - The submission and approval of the final sign details must be to Staff's satisfaction and added to the Site Plan if necessary.
 - The Site Plan must be revised to correct the labeling of the structure and the Sanitary Sewer Line must be abandoned in accordance with City Procedures.

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Decision Cont.

2. FRO Exemption Comments from the FRO Reviewer or Approval of FSD/PFCP and notation added to the Site Plan with FRO Approval prior to Improvement Plan/Site Development Plan signature.
3. Improvement Plan/Site Development Plan submission and approval prior to construction.
4. Applicant bound by their testimony.
5. Applicable Agency Comments.

VOTE: Yea 4 Nay 0

Mr. Burruss returned to the dais.

New Business

City of Brunswick WWTP Expansion & Upgrade: Located on the South Side of C & O Canal Towpath East, East of Maple Avenue. Zoning Classification OS; Water & Sewer Classification W-1, S-1; BR-SP-04-04-SP

Staff Presentation and Recommendation

Mr. Twigg presented the Staff Report for Site Plan approval of the proposed new multi-use building. He stated the action of the Board of Appeals at their November 18, 2004 Meeting with regard to the Floodplain Variance and conditions of approval.

Staff recommends approval of the Site Plan with the following conditions:

1. Issues raised in Staff Report Addressed to Staff's satisfaction.
2. Address Check Sheet and Staff TAC Meeting Comments that still are not addressed to Staff's satisfaction.
3. Need FRO Approval prior to Improvement Plan signature.
4. Final or changes to the lighting must be approved by Staff in accordance with the Dark Sky Principle.
5. The submission and approval of the final sign details must be to Staff's satisfaction and added to the Site Plan if necessary.
6. Applicant bound by their testimony.
7. BOA Condition compliance to Staff's satisfaction or the Site Plan to be brought back to the Planning Commission.
8. Site Plan signature withheld until the end of the BOA Appeal Period.
9. Address appropriate Agency Comments.

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Staff Presentation and Recommendation Cont.

Messr. Twigg and Stup answered questions with regard to the plan to include landscaping, lighting, and floodplain.

Applicant

Mr. Dave Choate, View Engineering, presented the applicant's case and answered questions. A presentation for information was also presented with regard to proposed aesthetics mitigation proposals, architectural views, and views from the river.

Public Comment

None.

Rebuttal

None.

Decision

Mr. Krigbaum made a motion to approve the Site Plan in accordance with Staff recommendation; Mr. Burruss seconded the motion.

VOTE: Yea 5 Nay 0

2005 Submission Schedule Policy

2005 Submission, Posting, TAC Meetings, and Resubmission of items for Planning Commission Action.

Mr. Stup presented the Planning Commission Submission Schedule for 2005 and part of 2006.

Recommendation

Staff recommends approval of the schedule and continuing with the Policy as presented.

Public Comment

None

Decision

Mr. Burruss made a motion to approve the Policy as presented; Mr. Dougherty seconded the motion.

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Decision Cont.

VOTE: Yea **5** Nay **0** (Copy of Policy attached.)

Public Comment

None.

Mr. Stup stated that there would not be a Planning Commission meeting in December.

Adjournment

The meeting was adjourned at 7:50 PM.

Respectfully submitted,

Edward Gladstone, Chair
Brunswick Planning Commission